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11 Attorneys for Plaintiff

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,) No. CR 05-0609 JSW
16 Plaintiff,)
17 v.)
18 LEONARDO HENDERSON,)
19 Defendant.)
20 _____)
21 **STIPULATION AND [PROPOSED]
22 ORDER CONTINUING DETENTION
23 HEARING FROM MAY 17, 2006 TO
24 MAY 18, 2006, AND EXCLUDING THE
25 TIME FROM MAY 11, 2006 THROUGH
26 MAY 18, 2006 FROM CALCULATIONS
27 UNDER THE SPEEDY TRIAL ACT (18
28 U.S.C. § 3161)**

29 On May 11, 2006, the parties appeared before the Honorable Elizabeth D. Laporte,
30 United States Magistrate Judge, for initial appearance and arraignment of the defendant on the
31 indictment. The defendant was personally present. Assistant Federal Public Defender Geoffrey
32 Hansen appeared on behalf of the defendant. The United States was represented by Assistant
33 United States Attorney James Keller, appearing for Assistant United States Attorney Gregg W.
34 Lowder.

35 The Court set the matter for a detention hearing on May 17, 2006 at 9:30 a.m. before this
36 Court and set a briefing schedule for the parties for a brief addressing the use of proffers at a
37 detention hearing. The briefing schedule included that the defense file by Friday, May 12 and the
38 government file on Monday, May 15, 2006 at 3:00 p.m.

39 The undersigned attorney for the government is scheduled to be on pre-planned, pre-paid

1 annual leave and will be unavailable on Monday. To accommodate government counsel, both
2 parties agree on a continued detention hearing date and an amended briefing schedule, and
3 respectively request the Court to order, as follows:

4 1) Detention hearing: reset for Thursday, May 18, 2006 at 9:30 a.m.,
5 2) Briefing schedule: defense to file by Monday, May 15, 2006 at noon; and the
6 government to file Tuesday, May 16, by close of business.

7 In addition, the government is in the process of providing initial discovery and the
8 defense needs time to review that discovery in order to effectively prepare, and both parties need
9 time to prepare their respective briefs for filing. Also, government counsel will be unavailable
10 on Monday, May 15, 2006. For those reasons, the parties agree and seek by stipulation to
11 exclude from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, the time from May 11,
12 2006 through May 18, 2006 in order allow reasonable time for effective preparation and for
13 reasons of continuity of government counsel.

14 The parties respectively request the Court enter the following order:

15 Based on the forgoing, the Court orders the detention hearing continued to 9:30 a.m. on
16 Thursday May 18, 2006 and orders the briefing schedule as outlined above. The Court further
17 finds that, for the above reasons, including the need for reasonable time to permit effective
18 preparation and for continuity of counsel, the ends of justice served by excluding from
19 calculations the period from May 11, 2006 through May 18, 2006 outweigh the best interests of
20 the public and the defendant in a speedy trial, pursuant to the Speedy Trial Act, 18 U.S.C. §

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1 3161(h)(8)(B)(iv), and orders that the time from May 11, 2006 through May 18, 2006 be
2 excluded from calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

3 **SO STIPULATED:**

4 DATED: _____

/S/
5 GEOFFREY HANSEN
Assistant Federal Public Defender

6 DATED: 5/11/06

/S/
7 GREGG W. LOWDER
8 Assistant United States Attorney

9 **IT IS SO ORDERED.**

10 DATED: May 12, 2006



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